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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

In re: NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	MDL Dkt. No. 06-1791-VRW **[PROPOSED] ORDER GRANTING MOTION OF DEFENDANTS AT&T COMMUNICATIONS OF SOUTHWEST, INC., ET AL. TO DISMISS PLAINTIFFS' APPLICATION TO COMPEL**
This Document Relates To: *Clayton, et al. v. AT&T Communications of the Southwest, Inc., et al.*, No. 07-1187	Courtroom: 6, 17th Floor Judge: Hon. Vaughn R. Walker

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On April 9, 2007, defendants **AT&T Communications of the Southwest, Inc., SBC Long Distance, LLC, SBC Advanced Solutions, Inc., TCG St. Louis Holdings, Inc. d/b/a TCG St. Louis, Southwestern Bell Telephone, L.P.,** and **TCG Kansas City, Inc.** moved pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss Plaintiffs' First Amended Application to Compel Production of Documents and to Compel Witnesses to Appear and Answer Questions Upon Oral Examination (Dkt. 1-6, "Application") for failure to state a claim upon which relief can be granted ("Motion").

On June 14, 2007, Defendants' Motion came on for hearing before the Court, Hon. Vaughn R. Walker, United States District Chief Judge, presiding. Having considered Defendants' Motion, Plaintiffs' opposition thereto, Defendants' reply and the oral arguments by counsel for the parties, and good cause appearing,

IT IS HEREBY ORDERED that:

1. Defendants' Motion is hereby GRANTED on the ground that Plaintiffs have failed to state a claim upon which relief can be granted;

2. Plaintiffs' Application is hereby DISMISSED with prejudice and without leave to amend.

Dated: ______________________

____
Hon. Vaughn R. Walker
United States District Chief Judge